

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CHARMAINE COOKE,

Plaintiff,

- against -

CONSOLIDATED EDISON COMPANY OF  
NEW YORK, INC., ET AL.,

Defendants.

24-CV-5316 (PAE) (RWL)

CHARMAINE COOKE,

Plaintiff,

- against -

24-CV-5315 (PAE) (RWL)

ORANGE & ROCKLAND UTILITIES, INC.,  
ET AL.,

Defendants.

## ORDER

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

The Court has reviewed the parties' proposed civil case management plan and scheduling order at 24-CV-5315 Dkt. 44. A threshold issue presented therein is whether discovery should proceed or be stayed pending decision on Defendants' motion to dismiss. (See Dkt. 44 at 8(h).) The motion to dismiss, if granted, would dispose of the entirety of Plaintiff's claim. As previously ordered, Plaintiff is due to file her Second Amended Complaint by April 16, 2025; and, by May 15, 2025, Defendants will either stand on their already-filed motion to dismiss, or file a new motion to dismiss, or answer the amended pleading. (See Dkt. 43.) Considering the posture of the case, the breadth of

discovery sought by Plaintiff, and the pendency and scope of the motion to dismiss, the Court finds that discovery should be stayed pending filing of the Second Amended Complaint and Defendants' motion to dismiss (or, answer, if Defendants do not renew their motion). Accordingly, discovery is stayed until further order of the Court.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: April 7, 2025  
New York, New York

The Court respectfully requests the Clerk of Court to mail a copy of this Order to the pro se Plaintiff:

Charmaine Cooke  
834 Penfield Street, #4H  
Bronx, NY 10470